

AO 91 (Rev. 11/11) Criminal Complaint

**UNITED STATES DISTRICT COURT**  
for the  
District of New Mexico

**FILED**  
United States District Court  
Albuquerque, New Mexico  
Mitchell R. Elfers  
Clerk of Court

United States of America  
v.  
RICKY EDDIE MARTINEZ JR  
(Year Of Birth 1991)

Case No. **22 MJ 1343***Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 15, 2022 in the county of Rio Arriba in the  
District of New Mexico, the defendant(s) violated:

*Code Section**Offense Description*

Title 18 U.S.C. § 1951  
Title 18 U.S.C. § 922(g)(1)

Interference With Commerce By Threats And Violence (Hobbs Act)  
Felon In Possession Of A Firearm

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

*Complainant's signature*

Jose A. Cortez, Special Agent, FBI

*Printed name and title*

Electronically Submitted and Telephonically Sworn to me on this date.

Date: 08/16/2022

*Judge's signature*City and state: Albuquerque, NM

Jerry H. Ritter, U.S. Magistrate Judge

*Printed name and title*

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Jose A. Cortez, being duly sworn, depose and say as follows:

**INTRODUCTION**

1. Your affiant is a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and have been employed in that capacity since 2018. Your affiant is currently assigned to the FBI Santa Fe Resident Agency, Violent Crimes and Gangs squad, where your affiant primarily investigates violent repeat offenders, federal drug, and firearm-related crimes. This affidavit is in support of a criminal complaint and arrest warrant charging RICKY EDDIE MARTINEZ JR (hereinafter MARTINEZ) with a violation of Title 18 United States Code (U.S.C.) §§ 1951, that being Interference with Commerce by Threats and Violence (Hobbs Act), and 922(g)(1) and 924, that being a Felon in Possession of a Firearm.

2. This affidavit is based on your affiant's personal knowledge and information obtained from other law enforcement officers and law enforcement reports that you affiant has reviewed. This affidavit does not set forth all of your affiant's knowledge about this matter.

**STATEMENT OF PROBABLE CAUSE**

1. On August 9, 2022, at approximately 08:04 a.m., Española Police Department (EPD) officers responded to an armed robbery call at the Dande Burger Restaurant located at 424 North Riverside Drive, Española, New Mexico (NM) 87532. Officers reviewed the surveillance footage from the restaurant, and it depicted that the robbery occurred at approximately 05:46 a.m. by an unknown male subject (UNSUB) that wore a grey shirt, light blue "And 1" shorts, white shoes, a camouflage face mask, and a gray hat with a marijuana logo. The UNSUB also had a distinct tattoo of a woman on the inside of the left forearm and another distinct tattoo on the right forearm.

2. The UNSUB approached the counter, brandished what appeared to be a firearm described as a silver in color revolver, and demanded money from an employee. The UNSUB robbed \$160.00 United States dollars (USD) in currency from the cash drawer and left on foot.

3. At a later date, EPD officers were able to obtain photographs of RICKY EDDIE MARTINEZ JR's (hereinafter MARTINEZ) tattoos from United States Marshals Service (USMS) and Adult Probation and Parole Office, and discovered they coincided with the UNSUB's tattoos.

4. On August 10, 2022, at approximately 05:40 p.m., EPD officers responded to an armed robbery call at the Shell gas station located at 509 South Riverside Drive, Española, NM 87532. Upon arrival, officers learned from the counter employee that the UNSUB entered the gas station's store, walked to the front counter to purchase a candy bar, and began to talk to the employee. During their interaction, the UNSUB pulled out what appeared to be a firearm described as a silver in color revolver with his right hand, to which the employee reacted by giving the UNSUB cash from the drawer. The UNSUB robbed \$352.00 USD in currency from the drawer and left on foot.

5. The employee described the UNSUB as Hispanic, approximately five feet with six inches in height, wore a black shirt, black bandana, and grayish-tannish pants. An EPD officer reviewed the surveillance footage from the gas station and believed the UNSUB resembled MARTINEZ based on the UNSUB's neck tattoo and facial features.

6. On August 11, 2022, at approximately 09:33 p.m., EPD officers responded a call regarding an UNSUB with a firearm at Walgreens located at 1114 North Riverside Drive, Española, NM 87532. Upon arrival, officers learned that the UNSUB entered the store, brandished what appeared to be a firearm described as a silver in color revolver, and demanded money. When the employee was unable to open the cash register in the liquor department and attempted to open

the next register, the UNSUB became agitated and fired a round in the direction of the employee. The projectile hit the shelf and wall in the background and the employee sustained burns on the left arm due to the proximity to the firearm's powder. The employee identified the UNSUB as MARTINEZ.

7. Officers reviewed the surveillance footage and observed the UNSUB wore an "Ecko Unltd" brand hooded sweatshirt that was tan in color, a hat, black and white shorts, and white shoes. The UNSUB walked behind the counter, grabbed the register, ripped its cords, and left on foot.

8. On August 12, 2022, at approximately 02:45 p.m., EPD officers interviewed the Walgreens' employee from the robbery on August 11, 2022. When asked how the employee knew MARTINEZ, the employee stated that they grew up together in Chimayo, NM, and that MARTINEZ had ties with the employees' family members and friends.

9. On August 13, 2022, at approximately 12:00 a.m., EPD officers responded to an armed robbery call at 420 Emporia Smoke Shop located at 527 North Riverside Drive, Española, NM 87532. Upon arrival, officers learned that an UNSUB brandished what appeared to be a firearm described as a silver in color revolver, robbed an unknown amount of cash and left in a white Toyota Tacoma pick-up truck.

10. At a later date, EPD officers discovered from interviewing C.P.F., MARTINEZ's girlfriend, that the white Toyota Tacoma pick-up truck from the robbery was in C.P.F.'s possession and driven by C.P.F. that day.

11. On August 14, 2022, at approximately 2:55 p.m., TPD officers responded to an armed robbery call at Chalupp's Pizza restaurant located at 108 Siler Rd, Taos, NM 87571. Upon arrival, officers learned from the counter employee that an UNSUB entered the restaurant, asked

for a large pizza, and stated, “give me the money”. Since the employee did not react to the demand, the UNSUB stated, “give me the fucking money”, and pulled out what appeared to be a firearm described as a silver in color revolver with his right hand. The employee opened the drawer, and the UNSUB began taking money out of it. Another employee noticed what was happening and grabbed the UNSUB’s left hand to stop the robbery. The UNSUB reacted by firing a round in the direction of the employee and left on foot. TPD officers also learned from interviewing witnesses nearby the restaurant that a white Toyota Tacoma pick-up truck drove pass them shortly after the robbery had occurred.

12. On August 15, 2022, at approximately 08:37 a.m., EPD officers responded to an armed robbery call at Family Dollar located at 745 North Riverside Drive Suite G, Española, NM 87532. Upon arrival, officers learned that at approximately 07:00 a.m., an UNSUB brandished a firearm, fired a round towards one of the employees, robbed \$15.00 USD in currency, and a pack of lighters. Officers also learned through surveillance footage from a nearby residence that, at approximately 07:16 a.m., the UNSUB ran through the nearby residence’s yard, entered a white Toyota Tacoma pick-up truck parked approximately 300 yards from Family Dollar, and left the scene.

13. On August 15, 2022, an EPD officer in an unmarked vehicle, observed a white Toyota Tacoma pick-up truck that matched the description of the vehicle suspected to have been used during the robberies, and noted that it was bearing NM license plate ACXD48.

14. On August 16, 2022, New Mexico State Police officers located the white Toyota Tacoma pick-up truck bearing license plate ACXD48 and conducted a traffic stop. C.P.F. was one of the occupants in the vehicle and was read Miranda Rights before being interviewed. C.P.F. was MARTINEZ’s girlfriend and had let MARTINEZ drive the white Toyota Tacoma pick-up truck a



couple times in the past few days. C.P.F. was also aware that MARTINEZ committed robberies in Taos, Española, and Santa Fe, NM. On August 14, 2022, C.P.F. took MARTINEZ to Taos, NM, and on August 15, 2022, C.P.F. picked up MARTINEZ from the Family Dollar and Dollar General after the robberies were committed.

15. On August 16, 2022, at approximately 9:45 p.m., EPD officers responded to an attempted robbery and homicide call at Blake's Lotaburger located at 206 North Paseo De Oate, Española, NM 87532. Through a series of witness interviews, EPD officers and FBI SAs learned that, at approximately 9:30 p.m., an UNSUB entered the restaurant. While placing a food order with the employee at the counter, the UNSUB brandished what appeared to be a firearm described as a silver in color .380 revolver, stated "give me the fucking money", fired one round that hit the employee on the chest, jumped over the counter, and pistol whipped another employee six times in the back of head. The UNSUB then attempted to breach the cashier's drawer but was unsuccessful and left the restaurant on foot. FBI SAs reviewed scene of the crime and observed behind the counter one male deceased and one silver revolver bearing the description "AMADEO ROSSI S.A.".

16. SAs interviewed C.G. who was pistol whipped on the head by the UNSUB. C.G. strongly believed that the UNSUB was MARTINEZ based on the UNSUB's eyes, skin color, and height. Through social media and public news, C.G. was aware what MARTINEZ looked like and that he was wanted for seven recent robberies in Española, NM.

#### **FIREARM DETERMINATION AND INTERSTATE NEXUS**

17. Based on your affiant's training and experience, your affiant was not aware of any firearm manufacturers in the state of NM.

#### **RELEVANT CRIMINAL HISTORY**

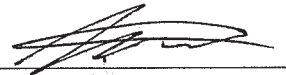
18. MARTINEZ is a convicted felon. Your affiant reviewed MARTINEZ's criminal history and court records and noted he has at least 12 prior arrests in NM and was convicted of the following felony charges: Shooting at or from a Motor Vehicle (3 counts) (2013), Assault Resulting in Serious Bodily Injury in Indian Country (2019), Escape or Attempt to Escape from Jail (2021), Aggravated Assault upon a Peace Officer (Deadly Weapon) (2021), Aggravated Fleeing a Law Enforcement Officer (2021), Robbery (2021), and Burglary of a Vehicle (2021).

### CONCLUSION

19. Based on the information set forth in this affidavit, your affiant submits there is probable cause to charge MARTINEZ with a violation of Title 18 U.S.C. §§ 1951, that being Interference with Commerce by Threats and Violence (Hobbs Act), and 922(g)(1) and 924, that being a Felon in Possession of a Firearm.

20. Assistant United States Attorney Timothy Trembley approved criminal charges in this matter.

Respectfully submitted,



Jose A. Cortez  
Special Agent  
Federal Bureau of Investigation

Sworn to before me by telephone or other reliable electronic means on August 17, 2022.



Honorable Jerry H. Ritter  
United States Magistrate Judge  
District of New Mexico